

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SUPERB MOTORS INC., TEAM AUTO SALES LLC,
ROBERT ANTHONY URRUTIA, 189 SUNRISE
HWY AUTO LLC, NORTSHORE MOTOR
LEASING, LLC, BRIAN CHABRIER, individually and
derivatively as a member of NORTSHORE MOTOR
LEASING, LLC, JOSHUA AARONSON, individually
and derivatively as a member of 189 SUNRISE HWY
AUTO, LLC, JORY BARON, 1581 Hylan Blvd
AUTO LLC, 1580 Hylan Blvd AUTO LLC, 1591
Hylan Blvd AUTO LLC, 1632 Hylan Blvd
AUTO LLC, 1239 Hylan Blvd AUTO LLC, 2519
Hylan Blvd AUTO LLC, 76 FISK STREET
REALTY LLC, 446 ROUTE 23 AUTO LLC and
ISLAND AUTO MANAGEMENT, LLC,

Plaintiffs,

-against-

ANTHONY DEO, SARAH DEO, HARRY
THOMASSON, DWIGHT BLANKENSHIP, MARC
MERCKLING, MICHAEL LAURIE, THOMAS
JONES, CPA, CAR BUYERS NYC INC., GOLD
COAST CARS OF SYOSSET LLC, GOLD COAST
CARS OF SUNRISE LLC, GOLD COAST MOTORS
AUTOMOTIVE GROUP LLC, GOLD COAST
MOTORS OF LIC LLC, GOLD COAST MOTORS OF
ROSLYN LLC, GOLD COAST MOTORS OF
SMITHTOWN LLC, UEA PREMIER MOTORS
CORP., DLA CAPITAL PARTNERS INC., JONES,
LITTLE & CO., CPA'S LLP, FLUSHING BANK, and
LIBERTAS FUNDING LLC,

Defendants.

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Case No.: 2:23-cv-6188 (OEM) (ST)

**DECLARATION OF
ROBERT ANTHONY URRUTIA
IN SUPPORT OF PLAINTIFFS'
MOTION FOR
RECONSIDERATION**

Robert Anthony Urrutia declares, pursuant to 28 U.S.C. § 1746, under penalty of perjury,
that the following is true and correct:

1. I am the majority shareholder and President of Superb Motors Inc. (“Superb”), a high-end used car dealership in Great Neck on Long Island, and the sole member of Team Auto Sales LLC (“Team”), a wholesale used car operation that I own and operate out of New Jersey.¹

2. Superb, Team, and I consist of one group of Plaintiffs in this case.

3. As such, I am familiar with all the facts and circumstances heretofore had herein based upon my personal knowledge and a review of documents I maintain at Superb and Team in addition to information I have learned from employees, customers, vendors, and other third parties concerning the Defendants and their conduct.

4. I hereby incorporate herein all of the facts contained in my attorneys’ August 25, 2023 letter motion in support of the instant motion.

5. I respectfully request that this Court grant the relief requested herein.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on August 26, 2023.

Robert Urrutia
Robert Urrutia (Aug 26, 2023 00:39 EDT)
Robert Anthony Urrutia

¹ I am also the owner of Volkswagen of Freehold in New Jersey, Team Mitsubishi-Hartford in Connecticut, and Team Nissan of Pittsfield, Massachusetts.

2023-08-25 Urrutia Declaration in Support

Final Audit Report

2023-08-26

Created:	2023-08-26
By:	Emanuel Kataev (mail@emanuelkataev.com)
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"2023-08-25 Urrutia Declaration in Support" History







-  Document created by Emanuel Kataev (mail@emanuelkataev.com)
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-  Signer tonyu814@gmail.com entered name at signing as robert urrutia
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-  Document e-signed by robert urrutia (tonyu814@gmail.com)
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-  Agreement completed.
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EXHIBIT A

FILED UNDER SEAL

EXHIBIT B



NISSAN MOTOR ACCEPTANCE COMPANY LLC

8300 Freepoint Parkway
Irving, Texas 75063-2438

Mailing Address: P.O. Box 660360
Dallas, TX 75266-0360
Telephone: 800-456-6622

August 18, 2023

Via Federal Express

Superb Motors, Inc.,
d/b/a Superb Motors
215 Northern Blvd.
Great Neck, NY 11021
Attn: Mr. Robert Urrutia

Re: **Notice of Termination**

Dear Mr. Urrutia:

For the purposes of this letter ("Notification"), reference is made to the Automotive Wholesale Financing and Security Agreement dated December 17, 2021, as amended to date ("Wholesale Agreement"), between Nissan Motor Acceptance Company LLC ("NMAC"), and Superb Motors, Inc., d/b/a Superb Motors ("Dealership").

You and the following entities ("Guarantors") have guaranteed to NMAC the repayment of the Wholesale Agreement by the Dealership:

1. Team Imports LLC
2. Team Auto Group LLC
3. Team Nissan Inc.

The Dealership and the Guarantors are called the "Obligors". If not otherwise defined, each capitalized term in this Notice means the same as in the Wholesale Agreement.

After due consideration, NMAC has determined that termination of the Wholesale Agreement is in the best interests of NMAC. Consequently, the Dealership is hereby notified that effective as of **September 18, 2023**, NMAC will terminate the Wholesale Agreement, pursuant to its terms, by which date the Dealership is required to repay to NMAC the remaining outstanding balance owed the Wholesale Agreement.

Any newly-occurring Event of Default under the Wholesale Agreement or under any other Obligor's agreements with NMAC shall accelerate the date of termination of the Wholesale Agreement to the date of such Event of Default.

Nothing contained in this Notification shall be construed either as a waiver by NMAC of its right to receive any additional sums due NMAC by reason of any other obligation of any Obligor to NMAC, or as a limitation on or waiver of any rights and remedies which may be available to NMAC existing by contract or under applicable law.

Mr. Robert Urrutia
August 18, 2023
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If you would like to discuss this matter further, please contact me at 469-597-6152.

Respectfully,

NISSAN MOTOR ACCEPTANCE COMPANY LLC

By: Allison Jank
Allison Jank
Manager, Special Credit

Mr. Robert Urrutia
August 18, 2023
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cc: Robert Urrutia
345 East 80th St. Apt SC
New York, NY 10075

Team Imports LLC
412 New Park Avenue
Hartford, CT 06106

Team Auto Group LLC
4360 US Route 9
Freehold, NJ 07728

Team Nissan Inc.
25 Housatonic Street
Pittsfield, MA 01201

Ms. Lisa Cicchini
Nissan Motor Acceptance Company LLC
1501 Cottontail Lane
Somerset, NJ 08873

Jamie Beck
Nissan Motor Acceptance Company LLC
8900 Freeport Parkway
Irving, TX 75063